

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION


MAS MOUSSAZADEH, ET AL.	§	
VS.	§	CIVIL ACTION NO. 9:05cv197
		CONSOLIDATED WITH
TDCJ-ID, ET AL.	§	CIVIL ACTION NO. 9:04cv5

ORDER OF PARTIAL DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Second Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the Defendants' partial motion to dismiss (docket entry #9) is **GRANTED** and the Plaintiff's TRFA claim is **DISMISSED** without prejudice to being pursued in state court.

**SIGNED** this the 6 day of **February, 2006**.

  
Thad Heartfield  
United States District Judge